IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Criminal Writ Petition No. 938 of 2006 (M/B)

Mohd. Shaqeel
S/o Munney Mian
R/o Nagar Panchayat Kali Nagar
District Pilibhit (U.P.) ... Petitioner

Vs

1. State of Uttaranchal
   through Senior Superintendent of Police,
   Tehri Garhwal
2. Station House Officeer
   Police Station Muni ki Reti
   District Tehri Garhwal
3. Siddharth S/o Shri Subhash Chandra
   R/o 2/2335 Pawel Bridge
   Sadar Thana Road
   Saharanpur (U.P.) ... Respondents

Sri Suresh Mishra, learned counsel for the petitioner.
Sri D.K. Sharma, learned G.A. for the State

Hon'ble B.C. Kandpal, J.
Hon'ble P.C. Pant, J.

Heard Sri Suresh Mishra, learned counsel for the petitioner, learned A.G.A. for the State and perused the record.

2. This writ petition has been filed by the petitioner for issue a writ order or direction in the nature of certiorari for quashing the First Information Report dated 04.06.2006, lodged in Case Crime No. 850/2006, under Sections 395, 365, 412, 323, 120(B) I.P.C., Police Station Munikireti, District Tehri Garhwal.

3. On the basis of the document available before us, we are of the view that prima-facie case is there.

4. Keeping in view of gravity of the offence alleged by the prosecution we are not inclined to grant any relief to the petitioner at this stage.

5. Accordingly, the petition is dismissed.

6. Consequently, the Stay Application No. 9952 of 2006 also stands dismissed.

(P.C. Pant, J.) **(B.C.Kandpal, J.)**

07.08.2006
ASWAL